

**Judge John C. Coughenour  
Judge Michelle L. Peterson**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GUILD MORTGAGE COMPANY LLC,

Plaintiff,

vs.

CROSSCOUNTRY MORTGAGE LLC,

Defendant.

Case No. 2:21-CV-01376-JCC-MLP

**REQUEST FOR JUDICIAL NOTICE IN CONNECTION  
WITH DEFENDANT CROSSCOUNTRY MORTGAGE, LLC'S  
OPPOSITION TO GUILD MORTGAGE'S MOTION FOR SANCTIONS**

REQUEST FOR JUDICIAL NOTICE IN CONNECTION WITH  
DEFENDANT CROSSCOUNTRY MORTGAGE, LLC'S  
OPPOSITION TO GUILD MORTGAGE'S MOTION FOR  
SANCTIONS, 2:21-CV-01376-JCC-MLP

**JONES DAY**  
901 Lakeside Avenue  
Cleveland, Ohio 44114-1190  
Telephone: (216) 586-3939

**LEWIS BRISBOIS BISGAARD &  
SMITH LLP**  
1111 Third Avenue, Suite 2700  
Seattle, Washington 98101  
Telephone: 206.436.2020 • Fax  
206.436.2030

Defendant CrossCountry Mortgage, LLC (“CrossCountry”) pursuant to Federal Rule of Evidence 201, and in connection with its concurrently filed Opposition to Plaintiff Guild Mortgage Company LLC’s (“Guild’s”) Motion for Sanctions (Dkt. 117), hereby requests that the Court take judicial notice of the following Exhibits, true and correct copies of which were marked during the deposition of Lisa Klika (“Klika Dep.”), Guild’s corporate designee under Rule 30(b)(6), on September 15, 2022, and which are appended to the transcript of Ms. Klika’s deposition and compiled at Exhibit A to the Declaration of Michael A. Platt.

**Klika Dep. Exhibit 5:** A screen capture of the homepage of the website www.OpenCorporates.com, obtained on August 31, 2022.

**Klika Dep. Exhibit 6:** A screen capture of the search results for “CrossCountry Mortgage, LLC” on the website www.OpenCorporates.com, obtained on August 31, 2022.

**Klika Dep. Exhibit 7:** A PDF copy of the webpage for “CrossCountry Mortgage, LLC :: Alaska (US)” on the website www.OpenCorporates.com, obtained on August 31, 2022.

**Klika Dep. Exhibit 8:** CrossCountry’s 2021 Biennial Report publicly filed with the Alaska Department of Commerce on December 23, 2020.

**Klika Dep. Exhibit 9:** A PDF copy of the Alaska Department of Commerce’s “Entity Details” page for CrossCountry available on the Alaska Department of Commerce website, obtained on August 31, 2022.

**Klika Dep. Exhibit 10:** Guild’s 2022 Biennial Report publicly filed with the Alaska Department of Commerce on December 7, 2021.

**Klika Dep. Exhibit 11:** A PDF copy of the Alaska Department of Commerce’s “Entity Details” page for Guild available on the Alaska Department of Commerce website, obtained on August 31, 2022.

**Klika Dep. Exhibit 12:** A PDF copy of the webpage for “Guild Mortgage Company LLC :: Alaska (US)” on the website www.OpenCorporates.com, obtained on August 31, 2022.

**Klika Dep. Exhibit 13:** Radcliff CCM I LLC's Form D filed with the United States Securities and Exchange Commission ("SEC") on October 17, 2019, and available on the SEC's website.

**Klika Dep. Exhibit 14:** The March 31, 2021 notice of removal filed by Guild in *Jared Van Pelt and Adriene Van Pelt v. Guild Mortgage Company*, United States District Court for the Northern District of Texas, Abilene Division, Case No. 1:21-cv-00068 (Mar. 31, 2021).

Federal Rule of Evidence 201(b) authorizes the Court to take judicial notice of facts that are "not subject to reasonable dispute[.]" including facts that "can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b). Courts may take judicial notice of "court filings and other matters of public record." *Reyn's Pasta Bella, LLC v. Visa USA Inc.*, 442 F.3d 741, 746 n.6 (9th Cir. 2006). A court "must take judicial notice if a party requires it and the court is supplied with the necessary information." Fed. R. Evid. 201(c)(2).

Pursuant to the foregoing, CrossCountry requests that the Court take judicial notice of Klika Dep. Exhibits 5-7 and 12, which comprise publicly available information on the website [www.OpenCorporates.com](http://www.OpenCorporates.com). These exhibits need not be noticed for the truth of their contents, but rather for the fact that their contents are publicly available on the Internet.

CrossCountry also requests that the Court take judicial notice of Klika Dep. Exhibits 8-11, 13, and 14. These exhibits are documents and orders that have been publicly filed in the Alaska Department of Commerce, the United States Securities and Exchange Commission, and the United States District Court for the Northern District of Texas, Abilene Division, respectively.

1 Dated: October 3, 2022

Respectfully submitted,

2 JONES DAY

3 s/ Michael A. Platt

4 Michael A. Platt, *Admitted Pro Hac Vice*

5 maplatt@jonesday.com

6 North Point

901 Lakeside Avenue

7 Cleveland, Ohio 44114-1190

Tel: (216) 586-3939

8 Fax: (216) 579-0212

9 LEWIS BRISBOIS BISGAARD & SMITH LLP

10 s/ Benjamin J. Stone

11 Benjamin J. Stone, WA Bar No. 33436

12 Benjamin.Stone@lewisbrisbois.com

13 s/ John R. Conley

14 John R. Conley, *Admitted Pro Hac Vice*

15 John.Conley@lewisbrisbois.com

16 1111 Third Avenue, Suite 2700

Seattle, Washington 98101

17 Tel: (206) 436-2020

18 Fax: (206) 436-2030

19 *Counsel for Defendant*

20 *CrossCountry Mortgage, LLC*

1 **DECLARATION OF SERVICE**

2 I hereby certify that on October 3, 2022, I electronically filed the foregoing with the Clerk  
3 of the Court using the CM/ECF System which will send notification of such filing to the following:

4 ***Counsel for Plaintiff Guild Mortgage Company LLC***

5 Eric D. Lansverk

[eric.lansverk@hcmp.com](mailto:eric.lansverk@hcmp.com)  
[carol.cannon@hcmp.com](mailto:carol.cannon@hcmp.com)

7 Chad S. Hummel (Pro Hac Vice)  
8 Eric B. Schwartz (Pro Hac Vice)  
9 Renee Pesiro (Pro Hac Vice)

[chummel@sidley.com](mailto:chummel@sidley.com)  
[eschwartz@sidley.com](mailto:eschwartz@sidley.com)  
[rpesiri@sidley.com](mailto:rpesiri@sidley.com)  
[lespinoza@sidley.com](mailto:lespinoza@sidley.com)  
[lruiz@sidley.com](mailto:lruiz@sidley.com)  
[laefilingnotice@sidley.com](mailto:laefilingnotice@sidley.com)

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11  
12 Dated: October 3, 2022 at Seattle, Washington.

13 s/Hilton Platt  
14 Hilton Platt, Legal Secretary  
15 [Hilton.Platt@lewisbrisbois.com](mailto:Hilton.Platt@lewisbrisbois.com)  
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